

REMARKS

In an Office Action dated October 4, 2003, claim 39 was rejected, and claims 1-9 were allowed. Claims 10-38 are withdrawn from consideration.

Applicant sincerely appreciates the indicated allowability of claims 1-9.

In view of the accompanying amendments and the following remarks, Applicant respectfully requests reconsideration of this application, and allowance of all of the claims, as amended.

Claim 39 was rejected under 35 U.S.C. 102(b) as being anticipated by Sjostrom et al. This rejection, as it applies to newly amended claim 39, is respectfully traversed.

Amended claim 39 recites a truck having a cab compartment mounted on a chassis frame, the cab compartment having at least a driver's seat, and a sleeping compartment comprising: a floor with lateral portions and a pair of sidewalls extending upwardly from said lateral portions of said floor; a rear wall assembly connected to an aft end of said floor and sidewalls; and a stowable member comprising a bed with a sleeping surface mounted on said rear wall assembly for movement between a stowed position where said sleeping surface is oriented vertically and a deployed position where said sleeping surface is oriented horizontally, wherein, when said sleeping surface is horizontally oriented, said sleeping surface does not extend beyond said sleeping compartment into said cab compartment.

The Sjostrom reference teaches a pivotal bed arrangement located within the cab compartment of a vehicle. The Sjostrom reference fails to teach or even remotely suggest a sleeping compartment element separate from a cab compartment element, as recited in amended claim 39.

Secondly, the sleeping surface of Sjostrom, when horizontally oriented, clearly extends within the cab compartment. This is completely contrary to the requirements of claim 39, which clearly states that when the sleeping surface is horizontally oriented, the sleeping surface does not extend ... into the cab compartment.

Therefore, Sjostrom does not recite all of the features of claim 39, and does not anticipate said claim.

Support for the amendments to the specification and the claims can be found in the

drawings. The drawings clearly show a truck comprising a cab compartment with at least a driver's seat, as well as a separate sleeping compartment with a sleeping surface that does not extend beyond the sleeping compartment into the cab compartment when horizontally oriented. The specification is being amended merely to discuss the cab compartment seats shown in figure 2, and to add reference numeral 9 for the driver's seat.

In the absence of any suggestion whatsoever in Sjostrom of the above-noted features of amended claim 39, the rejection based on Sjostrom should be withdrawn.

Since generic claim 39 now is allowable, claims 10-38 should be allowable therewith. Applicant submits that the present application is now in condition for allowance. Reconsideration and favorable action are earnestly requested.

Respectfully submitted,

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